

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Suyker et al.	:	Group Art Unit: 3773
	:	
Application No.: 10/805,714	:	Examiner: Son Dang
	:	
Filing Date: March 22, 2004	:	Confirmation No.: 9243
	:	
Title: MECHANICAL ANASTOMOSIS SYSTEM FOR HOLLOW STRUCTURES		

REQUEST FOR REFUND

Mail Stop 16
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a Request for Refund of claims fees in excess of 20. On May 18, 2009, an Amendment and Response to Final Rejection was filed. The Amendment resulted in a total of 30 claims, 3 of which are independent. The highest number of claims previously paid for is 27. Payment for the 3 additional claims was included at the time of filing the Amendment/Response at the small entity status rate.

On July 9, 2009, our Deposit Account Number 50-0462 was refunded the \$78 small entity claims in excess of 20 fee (code 2202) and then charged the large entity excess claims fee amount of \$156 (code 1202).

A Small Entity status statement was previously asserted by Applicants in the Response to Restriction Requirement and Assertion of Small Entity Status filed November 21, 2006. In addition, the small entity status was reiterated in the Terminal Disclaimer filed July 14, 2007. The Applicants have not submitted any statement indicating loss of small entity status and should therefore be entitled to pay the small entity fees.

Applicants respectfully request a refund of \$156 to Deposit Account No. 50-0462 for the large entity status excess claims fee. The Director is hereby authorized to charge the small entity excess claims fee of \$78 to Deposit Account No. 50-0462.

Respectfully submitted,

/Kevin J. Dunleavy/

Kevin J. Dunleavy

Registration No. 32,024

Dated: August 20, 2009

Customer No. 21302

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